



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

filed has opportunity to have his case considered wholly on its merits instead of being obliged also to compete with other candidates.

*Corrupt Practices.* More or less complete corrupt practices laws were passed in Arkansas,<sup>98</sup> Florida,<sup>99</sup> Michigan,<sup>100</sup> Missouri,<sup>101</sup> Montana,<sup>102</sup> Nevada<sup>103</sup> and South Dakota.<sup>104</sup> Some changes were made in California,<sup>105</sup> Ohio<sup>106</sup> and Indiana<sup>107</sup> the most interesting being that of the the last-named State which attempts to do away with "mud slinging" campaigns by prohibiting the publication of anything—including cartoons—injurious to persons or companies for the purpose of influencing elections.

VICTOR J. WEST,

*Leland Stanford Junior University.*

**Absent Voters:** In 1911, the Kansas legislature, and in 1913, the legislatures of Missouri and North Dakota enacted laws which permit voters who are absent from their regular election districts on the day of an election to send home their ballots by mail from any point within their respective States, and to have these ballots counted by the proper local officials before the final result is officially announced. Similar bills were introduced in the last session of the Pennsylvania and the Wisconsin legislature. In November, 1914, the voters of Michigan will vote upon a proposed amendment to their slate constitution which, if adopted, will authorize the legislature of that State to provide some system of voting by mail for the benefit of qualified electors "in the actual military service of the United States or of this State, or in the army or navy thereof, in time of war, insurrection or rebellion;" also for "any student while in attendance at any institution of learning, or any member of the legislature while in attendance at any session of the legislature," and for commercial travelers. Three different bills are now (April, 1914) pending in the Massachusetts legislature to permit voters absent from their regular voting districts on state and national election days, to have their votes registered and counted. One of these bills also covers the case of voters who are detained from the polls by reason of sickness.

<sup>98</sup> Laws 1913, p. 1253.

<sup>99</sup> Laws 1913, p. 268.

<sup>100</sup> Laws 1913, p. 189.

<sup>101</sup> Laws 1913, p. 464.

<sup>102</sup> By initiative and referendum,  
Laws 1913, p. 593.

<sup>103</sup> Laws 1913, p. 476.

<sup>104</sup> Laws 1913, p. 277.

<sup>105</sup> Laws 1913, p. 396.

<sup>106</sup> Laws 1913, p. 578.

<sup>107</sup> Laws 1913, p. 489.

The omission in the constitutions of Kansas and Missouri of any clauses requiring secrecy in voting has made possible the adoption of a very simple system of voting by mail for intra-state voters, in which it appears that a reasonable degree of secrecy has nevertheless been insured. The laws of these two States are substantially alike. They provide, in brief, that when a voter is absent from his regular voting place on the day of a *general election*, he may present himself during voting hours at a polling place in the town or city where he temporarily happens to be, and there sign an affidavit before the election officers. In this affidavit, the voter makes oath to the fact that he is a properly qualified voter of ——— district, in ——— county; that by reason of his occupation or business as ——— he is required to be absent from his regular voting district; and that he has not voted elsewhere at this election. The absent voter is then given an official ballot and permitted to enter a voting-booth and there mark his ballot. The ballot is then folded with the marks concealed, endorsed by an election official as "the ballot of A. B., an absent voter of ——— district in ——— county," and placed with the affidavit in an envelope which is sealed, directed, and sent by mail to the proper official in the absent voter's home county. There, at the appointed time, it is opened and counted before the result of the official canvass is declared. The canvassing officials are forbidden, under severe penalties, to disclose how the absent voter marked his ballot.

The Kansas law went into operation at the last presidential election and about five thousand voters took advantage of it. When one recalls that the Democratic candidate for governor was elected by a plurality of only 31, the potentiality of the "mail vote" can easily be understood. So far as the writer has been able to discover, the innovation met with very general approval, and the mail vote was handled by the election officials in a very satisfactory manner. One high Kansas official writes, "I am sure that Kansas likes it so well that it will not be repealed in this generation at least."

While the Kansas and Missouri acts restrict the right to vote by mail to absent voters who are within the boundaries of the State and apply only to *general* elections, the North Dakota act of 1913 apparently makes it possible for not only intra-state absent voters to vote by mail but also for voters outside the State to enjoy the same privilege; and at the same time the law is made to cover *primary* as well as general elections. Furthermore the North Dakota act embodies an ingenious attempt to provide a system of voting by mail which shall conform to the constitu-

tional requirement that "all elections by the people shall be by secret ballot."

Any fully qualified voter in North Dakota who expects to be absent from his county on the day of a primary or general election may apply to the county auditor, within thirty days preceding the election, for "an official absent voter ballot" to be voted at such election. These ballots are to be of the same size, form and "texture" as the regular official ballots, "except that they shall be printed upon tinted paper of a tint different from that of the sample ballots." Upon receipt of the proper written application, the county auditor is required to transmit or deliver to the voter one of these absent voter ballots, together with a return envelope addressed to the county auditor.

The absent voter may mark his ballot at any time prior to the closing of the polls on election day, but marking is surrounded by certain formalities. The voter must go before some official having a seal and authority to administer oaths, must exhibit to said official his unmarked ballot and the envelope, and must make oath to the affidavit printed on the back of the envelope that he is a properly qualified voter, that he expects to be absent from his county on the day of election, and that he will have no opportunity to vote in person on that day. Then in the presence of the magistrate and "no other person," the voter marks his ballot, "but in such manner that such officer can not see the vote," folds the ballot with the mark concealed, and encloses it in the envelope which is securely sealed. The magistrate certifies underneath the affidavit on the envelope that all these formalities have been complied with, after which the ballot is mailed by the voter, postage prepaid.

When received by the county auditor, that official must forthwith enclose the ballot and envelope, together with the voter's written application, in a larger envelope which is securely sealed and endorsed with the name of the proper voting precinct where the absent voter resides, the name, title and address of the county auditor, and the words: "This envelope contains an absent voter ballot and must be opened only on election day at the polls while the same are open." The county auditor is required to transmit the ballot, envelope, and written application to the judge or inspector of election in the precinct where the absent voter resides.

At any time between the opening and closing of the polls on election day, the inspector of election first opens the outer envelope only, and compares the signature on the application blank with the signature affixed to the affidavit. If the signatures correspond and the affidavit

is sufficient, and if the voter is duly qualified and has not already voted at this election, the judge of election opens "the absent voter envelope in such manner as not to destroy the affidavit thereon," and takes out the ballot, and, "without unfolding the same or permitting the same to be opened or examined," deposits it in the ballot box to be counted as if cast by the voter in person; the voter's name is then checked on the voting list.

If the affidavit should prove to be insufficient, or if the signatures should fail to correspond, or if the voter should prove not a duly qualified elector of that precinct, such vote is not allowed, but "without opening the absent voter envelope," the election inspector marks across the face thereof, "Rejected as defective," or "Rejected as not an elector," as the case may be.

The law contains the further provision that the voter may mark his ballot before, as well as after, he leaves his own county; and that in case the voter unexpectedly returns to his precinct on or before election day, he shall be permitted to vote in person, "provided his ballot has not already been deposited in the ballot box." Appropriate penalties are of course provided for violations of the act and for false swearing.

P. ORMAN RAY,  
*Pennsylvania State College.*

**Constitutional Amendments:** That we are witnessing a social, not to say a political revolution is indicated by the number and content of constitutional amendments proposed or adopted in recent years. The lack of uniformity in the methods of amendment as well as the irregularities as to publication of proposed amendments tend to cast doubt upon the results of any attempt at a correct enumeration of the year's product.

It would appear, however, that no less than two hundred amendments were acted upon in the various States either by legislatures, or the voters at the polls.

Since the year 1913 was a year of many legislative sessions and few elections, the proposals of amendments far outnumbered the adoptions. No less than 102 received legislative approval or were initiated by petition and referred to the people for vote in 1914; 44 more were proposed by legislatures and are awaiting the action of a second legislature before going to the people. During the year 56 amendments came up for final action and of these 38 were approved and became parts of the respective constitutions.